

IN THE CLAIMS:

Please cancel Claims 1 to 4 and 7 without prejudice to or disclaimer of the subject matter recited therein, and amend Claim 5 to read as follows:

Claims 1 to 4 (Cancelled).

5. (Currently Amended) An information recording and/or reading apparatus comprising:

a base plate;

a support plate;

a spindle motor for rotating a disk by an output shaft perpendicular to said base plate;

a rotary alignment control device supported on said support plate and for determining a rotation position of a recording/reading head of a head unit about a rotary alignment axis parallel to the output shaft of said spindle motor;

a vertical pivot shaft extending parallel to the rotary alignment axis; and

a ~~pivotal support~~ mechanism for ~~pivoting supporting~~ said support plate, on which said rotary alignment control device is supported, ~~to be pivotal~~ about said vertical pivot shaft relative to said base plate.

6. (Original) An apparatus according to claim 5, further comprising:

a moving stage which mounts said spindle motor; and

a stage driving mechanism for driving said moving stage toward or away from the rotary alignment axis.

Claim 7 (Cancelled).